

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Melina Razavi,

NO. C 06-00473 JW

Plaintiff,

**ORDER OF DISMISSAL PURSUANT TO  
FED. R. CIV. P. 4(m) and 41(b)**

v.

Kurt Haefer, et al.,

Defendants.


Plaintiff filed this action on January 24, 2006. (See Docket Item No. 1.) On April 27, 2006, the Court denied Plaintiff's motion to proceed *in forma pauperis*, denied Plaintiff's motion to appoint counsel and dismissed her Complaint with leave to amend. (See Docket Item No. 9.) Plaintiff has not since filed an Amended Complaint, and has taken no action in this case other than to file a letter addressed to Chief Judge Walker on June 30, 2006. (See Docket Item No. 10.)

On February 26, 2009, the Court issued an Order to Show Cause re: Dismissal and set a hearing for March 16, 2009. (See Docket Item No. 16.) Plaintiff failed to appear or otherwise communicate with the Court. It appears that Plaintiff has abandoned this action.<sup>1</sup> Accordingly, the Court ORDERS this action dismissed pursuant to Fed. R. Civ. P. 4(m) for failure to timely serve Defendants. In addition, since Plaintiff has ignored all of the Court's orders, the Court dismisses this action pursuant to Fed. R. Civ. P. 41(b), which is a dismissal on the merits for lack of prosecution.

<sup>1</sup> Plaintiff has also failed to update the Court with her current address.

Judgment shall be entered accordingly.

Dated: March 25, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Melina Razavi  
3 4501 Snell Avenue  
4 Apt. #2804  
5 San Jose, CA 95136

6 **Dated: March 25, 2009**

**Richard W. Wieking, Clerk**

7  
8 **By: /s/ JW Chambers**  
9 **Elizabeth Garcia**  
10 **Courtroom Deputy**